On the authenticity of the Lachout document

By Klaus Schwensen

1 Introduction

In 1987, a decade-old document caused a considerable stir in Austria. It was a circular from the Military Police Service (MPD), an Austrian auxiliary force that was founded in the post-war years to support the occupying powers in matters where they had to do with the Austrian population, not least with former concentration camp prisoners . The internal circular RS 31/48 of the MPD of October 1st, 1948 stated that Allied investigative commissions had carried out investigations in a number of former concentration camps, with the result that "no people were killed with poison gas" in these camps. The circular was signed by the head of the MPD, Major Müller, and a lieutenant Lachout had signed it for accuracy.

In view of the explosive content, the rediscovered document must have hit politically interested circles like a bomb, especially since the MPD lieutenant mentioned was still alive: it was about the Vienna-based engineer Emil Lachout, after whom the document was soon known as "Lachout- Document "was designated. While national papers in Austria and Germany welcomed the document almost effusively, it was fought as a forgery by the left, above all the Documentation Center of the Austrian Resistance (DÖW) . [1] , [2]Emil Lachout himself was involved in a criminal case. For the non-Austrian it was difficult to see what to think of the falsification allegation. The DÖW is considered to be a strongly left-wing institution that nationally-minded Germans or Austrians simply did not trust the necessary objectivity in a dispute over the Mauthausen gas chamber. The trial of Lachout, which could have clarified, dragged on for years. [3]

The unsatisfactory situation arose that the authenticity of a historically important document became a matter of faith. The following analysis is a late attempt to gain an objective picture of the authenticity of the Lachout document over a period of more than 15 years. For this purpose, an evaluation of the existing literature as well as the information provided by letter from Mr. Emil Lachout to the author of these lines was carried out .[4] , [5] Another source of information had to be dispensed with for reasons of capacity, namely the files of the Austrian authorities and courts, provided that they were accessible. Nevertheless, the result of the analysis turned out to be unambiguous; it was - this has been anticipated - unexpected and surprising for the author of these lines.

The text of the circular speaks for itself (Figure 1). He touches on a historical issue that is still open, namely "Gas chambers in the Altreich - yes or no?" [6] This means whether there were gas chambers for killing people only in the so-called extermination camps (which were all in Poland after the end of the war and were difficult to access for Western historians), or whether there were also other concentration camps - albeit in smaller scale - such gas chambers existed and were operated. [7]

2. The origin of the document

2.1. The Wiesenthal versus Rainer trial

After apparently decades of archival slumber, the Lachout Document reappeared in 1987 under mysterious circumstances. The trigger was obviously the Simon Wiesenthal trial against Friedrich (Friedl) Rainer before the Vienna District Court. [8] Rainer is the son of the former Gauleiter of Carinthia. The trial concerned, among other things, the existence of gas chambers in Dachau and Mauthausen. According to Lachout's account [5] , the defendant asked Lachout by telephone in the summer of 1987 whether he wanted to testify for him, Rainer, as an exonerating witness. Lachout agreed and was named as a witness for Rainer in a brief dated September 3, 1987.

The Wiesenthal ./. Rainer, which we cannot go into in more detail here, was opened at the Vienna District Criminal Court at the beginning of September 1987. The contradictions begin here. While the DÖW notes that Lachout did not appear for the "main hearing" on 9.9.1987, [2] the latter states that he met Gerd Honsik at the "opening" of the court proceedings . [9] It is possible that the opening date and the main hearing were not the same. Honsik was the editor of the national magazine *Halt*, which should play a role in the (re-) emergence of the Lachout document. Honsik introduced himself to Lachout, told him that a similar trial (Podgorsky ./. Honsik) was imminent and asked him if he would also like to appear as a witness for him (Honsik) for the fact that there were no gas chambers in Mauthausen and Dachau . Lachout agreed. However, the court then waived the testimony of Lachout, who was summoned as a witness for Rainer . [10] Quasi as a substitute for his testimony spurned by the court, Lachout wrote an affidavit [11] dated October 16, 1987, which was forwarded to the court via Rainer's lawyer and which was soon published in the magazine *Sieg* [12] .

How Rainer got to Emil Lachout, who was (allegedly) unknown to him, is unclear. Lachout thinks he remembers that when he first made contact, Rainer spoke of a "Lachout document" and mentioned the name Gerd Honsik, who was still unknown to him (Lachout) at the time. Accordingly, even before Lachout, Honsik

would have had a copy of the Lachout document and therefore recommended Rainer to contact Lachout. That would mean that the Lachout document had emerged from some archive before Lachout was officially confronted with it. In line with this, we also read in *Halt* that Gerd Honsik "found" the document . [13]If this version is correct, the question naturally arises as to where Honsik got his copy of the Lachout Document. But if he did *not* know the document , then we have to ask ourselves how he and Rainer could have known that Lachout could be such an important exonerating witness for them.

The course of events described here largely follows that of Emil Lachout. As to how and when the connection between Lachout, Honsik and Rainer came about, we are completely dependent on the statements of those involved, and these are to be viewed with skepticism, because they sometimes have the character of protective claims against the Austrian state police and the judiciary. A connection could have been established, for example, via Honsik's magazine *Halt* .

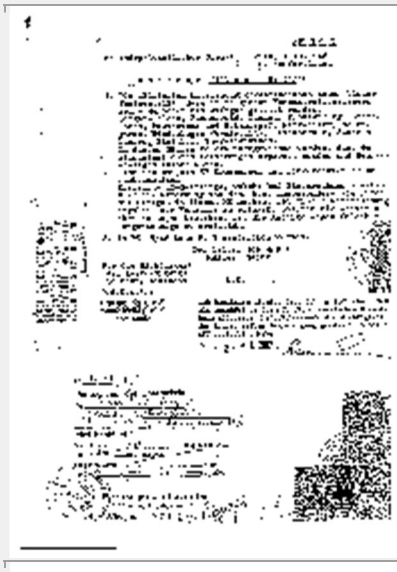

Figure 1: The Lachout Document in its current form. Facsimile reproductions of the document can also be found in the sources under notes [1] and [2] . (Click on picture to enlarge)

2.2. The reappearance of the document - in five versions

There are at least five contradicting and deviating representations about the details of the (re-) emergence of the Lachout document. All that is certain is that the document was published for the first time in Honsik's magazine *Halt* . [13] In the chaos of trials and tribulations, polemics and disinformation, the following questions in particular arise:

a) Did Honsik "unearth" the document somewhere *independently of Lachout* before Lachout came into possession of a copy, or did he only get it from Lachout?

b) If Lachout didn't get his copy from Honsik, where did he get it from?

c) What kind of copy does he have?

Version 1

In view of the importance of the newly emerged document, Prof. Robert Faurisson traveled to Vienna in early December 1987 to find out details about the creation and

(re-) emergence of the document. He conducted a two-day interview with Lachout, with Honsik acting as the interpreter. Honsik reported on the document and Faurisson's visit in his magazine *Halt* . [14]It was explained to Prof. Faurisson that Gerd Honsik had "found" the document. There is (still) no mention of two officials coming to Lachout with the document - see version 2 - although this process must have already taken place on October 27, 1987, the day the signature was authenticated. Nor is it mentioned that Lachout claims to have kept several other copies of the circular at home at this point in time.

There can be no doubt that Faurisson went out of his way to get to the bottom of the matter. Even 14 years later, Lachout found the interview a "cross-examination". In the relatively short report that Faurisson wrote after his visit to Vienna, a certain skepticism cannot be overlooked ("If this document is genuine and if Emil Lachout is telling the truth ...") . [15]Prof. Faurisson behaved absolutely correctly in this matter. On December 8th, 1987 he returned to Paris. When he went to the Sorbonne on the same day, accompanied by four of his students, the group was attacked by strangers. The next day, while Faurisson was waiting at a bus stop in Paris, he was attacked again and his briefcase, which contained "the copies of some important documents from Vienna and all the notes made shortly before with Ing. Lachout in Vienna", was snatched from him. At least that's what Emil Lachout reported in an interview with *Sieg* magazine . [12]

Version 2

A few days after Faurisson's visit, the state police also inquired about the origin of the document. During his first interrogation on December 11, 1987, Lachout brought in the historians' commission, which was then in Vienna, to examine the role of the alleged war crimes accused Federal President Kurt Waldheim during his time in the Wehrmacht in the Balkans. Lachout says the following: [9]

> *"In this regard, I state that the Commission of Historians submitted a copy of this document to me in September 1987 for assessment and confirmation. I was only supposed to confirm to the Commission the correctness and authenticity of the Military Police Service or circular No. 31/48 of the MPD. Me only a copy was sent for confirmation. After careful consideration and careful examination of the copy, I confirmed the correctness and content with my signature on October 27, 1987. I took the copy that was presented to me for confirmation (circular of the MPD No. 31 / 48 dated October 1, 1948), after my signature had confirmed the correctness, a copy was made in order to counteract possible forgeries. "*

At the end of the interrogation he says: [9]

"I would like to mention again that I was requested in writing by the historians' commission (WALDHEIM), which is currently active, for a statement in September 1987. The exact date and the exact name of the undersigned are not in my memory at the moment, but I have this letter, which I didn't take it with me to the questioning because I didn't know it was necessary. "

Some of Lachout's statements are in the nature of protective claims. Only a few inconsistencies should be pointed out below:

a) The writing of the historians

If we look again closely at Lachout's statement to the State Police, he says the following: First of all, the historians "sent" him a *copy of* the document with an accompanying letter, and then (apparently, when his decision was positive), he received one *Copy of* the "Submitted for Confirmation" circular. He issued this confirmation, had his confirmation authenticated at the District Court of Vienna-Favoriten and made a photocopy of the confirmed and authenticated circular for himself.

This presentation raises questions: Why did the historians send him a copy (i.e. photocopy) of the circular the first time, but a copy the second time? In 1987 no more copies were made, only photocopies. And why didn't you meet him in person where you were in Vienna, but only communicated with him by post? It is therefore not surprising that a letter to Lachout was vehemently denied by historians [16] and was never submitted by Lachout. In his second interview he is asked again about the historians' letter. But he did not bring it with him, citing his "official secrecy." [10]

b) Where did Honsik get his copy from?

On the question of where Honsik got the document from, Lachout says "that I did not give a copy of the document to Mr. Honsik personally," and suggests that Honsik may have obtained his copy from an archive. [9] In his 2nd interrogation [10] Lachout says that he had sent the document to various institutes or universities, not in Austria, but, for example, to the "Institute for Contemporary History in Freiburg im Breisgau, and also to the Universities of London and Paris as well as to a large number of other persons and institutes, I cannot give exact addresses ". He again denies having forwarded the document to Honsik; He does not know where Honsik got his copy from. [10]However, there is no such thing as a "University of Paris" or a "University of London". Paris alone has around 14 universities, and even the Sorbonne is divided into at least two universities. The name of the institute in Freiburg is

also incorrect; here two institutes - the Institute for Contemporary History in Munich and the Federal Archives / Military Archives Freiburg - have evidently merged. The whole action is implausible, especially since Lachout never submitted a corresponding covering letter, let alone a response from the above-mentioned addressees. There is also a logical contradiction in this story: If he wants the document to be so widely distributed, why didn't he send it to Honsik, whom he wanted to help?

c) The house search

In an interview with the magazine *Sieg* [17] Lachout mentions a house search by the state police that carried out on him on September 15, 1987 and during which various documents were confiscated. In the two interviews with the state police, however, there is no mention of the house search or of confiscated documents. [9] , [10]

Version 3

Also in December 1987, probably shortly after the first interrogation by the state police, circular no. 31/48 and Lachout's affidavit [11] were printed by the national magazine *Sieg* (Ed. Walter Ochensberger). [12] One can assume that everything Ochensberger wrote in the relevant *Sieg* article about the origin and reappearance of the document goes back to Emil Lachout. Here we now read that Lachout had given the paper to *Halt* . In a box entitled "Portrait of the Crown Witness" (Lachout), *Sieg* gives some more details. [12]According to this, "an allied commission" met in 1948 to "investigate the incidents in Mauthausen concentration camp during the Second World War up to and including the liberation of the camp at the request of the Austrian federal government." Two Austrian "gendarmerie officers", namely Major Müller as head of the "Military Police Service" (MPD) and Lieutenant Lachout, were allowed to take part in these surveys. Lachout then "handed over thirteen files with the findings of the investigative commission to the Austrian federal government in the name of the MPD."

It also says:

> *"He* [Lachout] *is also in possession of the copies of important documents, one of which he has given us* [the Lachout document] *, which proves that the federal government had been informed since 1948 that it was in Mauthausen (as well as in Dachau) has not given any gas chambers to kill people. "*

On October 27, 1987, "shortly after his retirement", Lachout "broke his silence and exclusively handed over a certified document [the Lachout document] to the newspaper ' *Halt* '." [12]

In a later interview with *Sieg* [17] Lachout indirectly confirms that he had had a copy of circular RS 31/48 since 1948 and that he had taken it out in 1987. In response to the question "For what purpose did you take 'Circular No. 31/48' with you back then?" he explains:

> *"I realized that this circular could acquire historical significance. In addition, this circular is for me a personal record of service and, above all, a reminder."*

In the same interview he explains that he still had several important documents at home, including further copies of the circular, all of which were confiscated during the house search.

Version 4

When Lachout was in Toronto in April 1988 and Ernst Zündel's Samizdat publishing house recorded a video interview with him, the question of the circumstances of the reappearance was asked again. Lachout's answer, which is reproduced verbatim in a DÖW brochure [1] , sounds - one has to agree with the author, Bailer-Galanda - rather confused. It is not for everyone to present a complicated situation precisely, ready for printing and in the necessary brevity in front of the camera. On the other hand, Lachout had to reckon with this question. Basically he says the following:

He had pointed out the existence of the document "years before" (that is, before 1987). In the course of the Waldheim surveys (1987) two officials appointed by the "Waldheim Commission" (the historians' commission that had met against Waldheim) came to him and asked him whether he was the one who had once correctly drawn the document. He was given a copy of the document, compared it with his own records and found that they matched. He then confirmed his earlier signature at the Vienna-Favoriten district court and the document was returned to the President's office. [18]

There is no evidence that Lachout pointed out the existence of the document before 1987. In version 4, the "two officials" appear for the first time as messengers - the great strangers of the affair. The correction compared to version 2 was apparently necessary after the historians had denied a request to Lachout. [16]Now they are said to have assigned two officers to deliver the document. The historians were not authorized to give orders to Austrian civil servants. Furthermore, it is difficult to imagine that the conscientious, meticulously precise officer Lachout simply goes to the district court with two strangers who only passively identify themselves. After all,

the two officials must have mumbled something about a "presidential chancellery", because how else does Lachout get the idea that they had come from the presidential chancellery of the Federal President? After certification, they disappeared without a trace and never reappeared. Logically they should have taken the - now authenticated - copy from 1948 with them, but left a photocopy to Lachout.

Version 5

In response to a written request on how he got the copy of the "Lachout Document", Emil Lachout gives the following account today, correcting version 4 again with regard to the "Bringer": [4]

> *"In September 1987 the Social Democratic Interior Minister Karl Blecha, President of the Austrian-Arab Association, sent me a copy of the MPD circular no.*
>
> *Since around 1985 the term 'ministerial office' has been replaced by 'presidential chancellery' in Austria. This has led to confusion with the 'Presidential Chancellery of the Federal President'. What would Austria be without a title?*
>
> *In fact, in my Viennese trial it was erroneously (temporarily) assumed that the Federal President's office had turned to me. It turned out, however, that the officials in question were from the 'Presidential Chancellery' of the Ministry of the Interior. That was later also confirmed by the council chamber of the regional court for criminal matters, Vienna. "*

So the two officials are *not*came from the Historians' Commission and not from Federal President Kurt Waldheim or his office, but from Interior Minister Karl Blecha. As a result, the document was not returned to the "Presidential Chancellery of the Federal President", but to the "Presidential Chancellery of the Federal Minister of the Interior". On these two points Lachout would have made a forgivable error in Toronto, which would not have touched the truth of his story at its core. It sounds strange, of course, with all due understanding for Austrian peculiarities, that the Ministry of the Interior should also have a "Presidential Chancellery". When the author made a telephone inquiry to the Federal Ministry of the Interior in Vienna (2001), the existence of a "Presidential Chancellery" of the Minister of the Interior was denied.

Everything we learn about the reappearance of the document ultimately goes back to Emil Lachout. It is a story full of unproven claims and contradictions, of great unknowns, disappeared documents, disappeared files, a conspiracy of silence by the

Austrian governments. None of the five versions stands up to closer scrutiny. Allegedly involved (sometimes the historians, sometimes the Interior Minister Blecha) have credibly contradicted Lachout's account. Gerd Honsik lives in exile today. Lachout can of course be credited with the fact that he was under pressure because of the pending proceedings against him, so that his representations partly have the character of protective claims. Also, all of these contradictions have nothing to do with the authenticity of the Lachout document, let alone with the correctness or inaccuracy of its content. But they are not exactly suited to building confidence in this document.

2.3. Where was the document between 1948 and 1987?

To assess the authenticity of a document, it is important that it can be traced back to its origin without any gaps. Bailer-Galanda rightly refers to this requirement of the doctrine of documents. [1] So where did the document "slumber" between 1948 and 1987 - if it already existed?

In his interview with the magazine *Sieg* [17] Lachout replied to the question where, in his opinion, the files of the military police service could be located that the Allies "took all relevant documents with them when they withdrew from Austria". He indicates that these files will be kept under lock and key if they have not already been destroyed. Information from the Austrian State Archives is cited as evidence. [19] "The remains that remained in Austria have demonstrably disappeared with other files." [17] The fact that the Allies took the files with them contradicts Lachout's assertion that the Military Police Service (MPD) was not an Allied but an Austrian executive body.

In his interview in Toronto Lachout apparently does not address the archive question, but starts his story with the two mysterious officials. Bailer-Galanda writes: [1]

> *"In any case, these confused information do not allow the path of the 'document' to be traced from its alleged creation in 1948 to its publication in 1987."*

That is true, but not suitable to refute Lachout, because if the document really was in an Austrian archive and had been found or deliberately retrieved by some authority (Ministry of the Interior), Lachout could of course not have known . However, the fact remains that the document is a unique piece, ie it is completely isolated and there are no comparable documents from which one could infer the existence of a corresponding file inventory.

Fourteen years later (2001) Lachout said that he had been deployed on behalf of the League of Red Cross Societies in the 1956 Hungarian uprising on the Austro-Hungarian border. In connection with the state police examination of his person, which was necessary for this, the "militarily certified copy" (he means circular 31/48, i.e. the Lachout document) reached the Ministry of the Interior. [4] So it would have been in an Austrian archive after all and not taken away by the Allies. This is of course a mere assumption of Lachout (at best) or disinformation (probably).

2.4. Reasons

Another question is indispensable for assessing authenticity: "What is a document for?" When an official document (certificate) is created, whether genuine or false, one only undertakes this effort because something is to be "stated" with it. Quod non est in actis, non est in mundo! The purpose or tendency of a document therefore allows conclusions to be drawn about the motives of the creator and the history of its creation. The intention of the "allied investigative commissions" or the MPD is quite clear from the text itself: they wanted to ward off false statements by former concentration camp prisoners and the claims derived from them. However, since the existence of Allied Commissions, which are said to have re-examined the former German concentration camps in 1948,

The three men who were directly involved in the reappearance of the circular, namely Gerd Honsik, Emil Lachout and Friedrich Rainer, had a real motive. At that time (1987) both Rainer and Honsik faced criminal proceedings for "National Socialist re-employment" - Lachout soon followed. In the upcoming lawsuits against Rainer and Honsik, the question was whether there was a gas chamber in the former KL Mauthausen or not. It is possible that Honsik, Lachout and Rainer, who were convinced that the gas chamber shown today in Mauthausen was a hoax, hoped to force a discussion of the gas chamber question by introducing the circular into their court proceedings. The Lachout document may therefore owe its existence to tactical process considerations. However, the courts consistently avoid such factual discussions (in Germany, for example, by referring to the "obviousness"). The extent to which one or the other of the defendants was in good faith in connection with the circular remains to be seen.

3. Was there a military police service?

3.1. The statements of Emil Lachout

Emil Lachout described the "MPD" as a "special force", "which was recruited from the ranks of the Austrian executive and whose members were ultimately allowed to ride with the 'four in a jeep' as representatives of Austria." [20]Apparently nobody in

Austria in 1987 had heard of this troop, i.e. the issuing authority of circular no. 31/48, in which Lachout claims to have served from 1947 to 1955. The question of whether or not this "military police service" existed is the crux of the whole affair. If the MPD did not exist at all, "Circular No. 31/48" has also been dealt with. The Austrian authorities were evidently unsure themselves at first, and they immediately began to clarify this question. In his second interrogation by the state police, Lachout was also questioned about the MPD, and he testified as follows: [10]

> *"In der Zeit von Kriegsende bis etwa November 1945 hat es ein 'Wachbataillon' gegeben, welches anschließend den militärpolizeilichen Dienst darstellte. Diese Bezeichnung wurde deshalb gewählt, weil es den Ausdruck Militärpolizei für Österreicher nicht geben konnte. Zugeordnet war dieser militärpolizeiliche Dienst der russischen Militärkommandantur in der russischen Besatzungszone. Bei den anderen Alliierten (Engländer, Amerikaner und Franzosen) hat es auch Verbände gegeben (militärisch), die jedoch nicht diese Bezeichnung führten. Der militärpolizeiliche Dienst bestand aus ca. 500 Mann (Österreicher), wobei pro Kompanie ein Russe als Dolmetsch zur Verfügung stand (Offizier) und pro Zug ein russischer Unteroffizier. Die 500 Mann standen der russischen Besatzungszone für Österreich zur Verfügung, und jede Bezirkskommandantur hatte einen Trupp zugeteilt (von 4 bis 10 Mann). Diese Tätigkeit beim militärpolizeilichen Dienst wurde von einem geringen Teil nicht als hauptberufliche Tätigkeit ausgeübt.*
>
> *Since July 1947 I was with the Vienna City Administration, Ma 59* [Magistratsabot. 59] *, Market Office - Food Police of the City of Vienna. As I already explained in my first statement, from October 1, 1947 I was part of the military police service mentioned above. Soviet troops were stationed in the consolation barracks, as well as the military police service (MPD) with a strength of around 30 to 40 men. The direct superior of the MPD was the commander in chief of the Soviet armed forces in Austria. The costs have been paid from the crew budget. The weapons were supplied by the Russian occupation forces (German booty stocks) and were supplemented from weapons found.*
>
> *The task of the MPD was to ride (or go) with the Russian military police in the area of the Russian occupation zone, on the one hand to be available as a witness in the event of any interventions, and on the other hand to support Austrians in official acts with Austrians. In terms of uniformity, I state that the Russian occupation forces wore Russian uniforms, I and my colleagues wore a gendarmerie-like uniform without distinctions* [badges of rank] *with a red-white-red armband.* [...] *The train stationed in the consolation barracks was an emergency train that was responsible for the entire Soviet occupation zone in*

Austria. [...]*I am currently looking for those colleagues who were on duty on the train in the Trostkaserne at the time. "*

As can be seen from Lachout's account, the "Military Police Service" (MPD) was not an Allied agency, but an Austrian auxiliary force in the service of the Allies. The stamp used also says "Republic of Austria". According to Lachout, each of the four occupying powers had such an auxiliary force at their disposal, although he himself served with the force assigned to the Soviets. Whether these four units all belonged together as MPD or named each other differently, as well as the organization and subordination of the MPD in general - all that remains nebulous. We know next to nothing about this troop, and the little that comes exclusively from Emil Lachout. In response to a request from the DÖW to the then Federal Minister for National Defense Robert Lichal, whether there was a "[21]

3.2. Doubts about the MPD

A direct proof that something, let's call it (A), did not exist is not possible according to the laws of logic. The burden of proof in this case lies with the person who asserts that (A) existed. At most, the opponent can prove that something else (B) existed, the existence of which excludes the existence of (A) (principle of alibi proof), or he collects clues (clues) that make the existence of (A) implausible .

The DÖW reported doubts at an early stage , [22] although some were justified, but other arguments fell short of the mark. It was assumed that Lachout had claimed that the circular was an *Allied*Document, which could easily be refuted. Bailer-Galanda pointed out that on the documents submitted by Lachout (he had submitted a few other documents to the court) the term "Military Police Service", sometimes "Allied Military Command for Austria" appears. The author states that "according to all available documents and testimonies about the occupation time in Austria" no Allied authorities with these designations existed. She quotes some Allied publications from that time in which a "military police service" does not appear and provides further evidence that the document could not be an *Allied* document. [22]At that time, Allied documents had to be written in English, French or Russian, and there would hardly have been any official German abbreviations such as "F. d. R. d. A." (For the correctness of the copy) and "RS" (circular) are used. It is also not possible that Lachout "certified" the correctness of the copy on October 1, 1948, as the Allies would hardly have carried out such an official act according to the Austrian regulations. This argumentation of the DÖW is factually correct, but still goes wrong, because it overlooks the fact that - always according to Lachout - the MPD should not have been an Allied, but an Austrian agency.

One can, however, express further doubts about the existence of the MPD. First of all, it makes no sense why the various post-war Austrian governments persistently withheld the existence of such a force and suppressed the relevant files. Furthermore, it is difficult to imagine that a force that had to do with the population and former concentration camp prisoners for years would have disappeared so completely from the consciousness of the Austrians and sunk into a mysterious darkness. When the document (re-) emerged in 1987, many of the former MPD members must have been alive. For example, if an MPD man was born in 1920, he was around 28 in 1948 and around 67 in 1987. Lachout says in his second interrogation before the state police,[10] Apparently not a single one, not even a widow, son or daughter, has reported - although the Lachout case made waves in Austria at the time.

If the MPD was dissolved in 1955, then the men should have been transferred to other executive organs of the state (police, armed forces) and a takeover regulation should have been issued. Nothing of the sort is known in Austria. Nothing is heard from the troops maintaining their traditions, no comradeship meetings, no chronicle - an army of ghosts. No ID card has ever been seen, no uniform, no personal document, no photo showing an MPD member in uniform. If there is anything like that, then it comes from Emil Lachout. Prof. Faurisson, who came to Vienna in 1987 to form an opinion, recalls: [23]

> *"I asked him* [Lachout] to go *to the Trost-Kaserne so he could show me exactly where his office would have been (even if we hadn't been let in, he might have shown it from the outside). But for any Reason he didn't want to show me the place. "*

It is no wonder then that of course Lachout's superior at the time at the MPD, Major Anton Müller, never appeared anywhere - except in Emil Lachout's stories.

3.3. The files

As Emil Lachout stated in his 1989 interview with *Sieg* , [17] he had kept a number of documents (or copies) at home that would have been of great interest then as now - if they existed. As proof of the existence of the MPD, Lachout cites, among other things:

- 3 copies of the L [achout] document (MPD circular no. 31/48) with issue numbers 15, 22 and 34 (in addition to issue no. 10)!
- MPD status report from 1.1.1949
- MPD status report from 1.3.1955
- MPD letter dated November 10, 1948, submission of the "report on the so-called Mauthausen gas vans"

- Letter from the Allies dated February 14, 1955 about the dissolution of the MPD (end of March 1955)
- Multilingual MPD ID card from October 25, 1945 [sic!] With all promotions up to major
- MPD letter dated October 27, 1948 (return of the investigation report from US Colonel Dr. [sic] Stephen Pinter)
- MPD letter dated November 16, 1948, submission of the translated Pinter investigation reports on Mauthausen to the Federal Chancellery

Some of these documents would be nothing short of sensational. The trouble is: They were all seized by the state police during a house search on September 15, 1988 (apparently without a receipt) and have since disappeared without a trace ... [17] The state police apparently left other documents behind, for example a letter from a "police officer Auxiliary service for the headquarters of the city of Vienna " [24]dated 7.5.1945 (!), addressed to the "Police chief for the 1st district, Vienna I., Stallburggasse 4". The letter apparently aims to make the existence of the MPD credible by suggesting the existence of a predecessor organization. There is no place here to analyze this letter. In any case, it is astonishing that there is said to have been an Austrian State Chancellery again on May 5, 1945 - three weeks after the conquest of Vienna by the Red Army and three days *before*the surrender of the Wehrmacht. Happy Austria! Was life in Vienna really normalized again at the beginning of May 1945 to such an extent that there was a state chancellery that had to be guarded? The most beautiful thing about the document, however, is a splendid large round stamp with the inscription (in German and Russian): "Police auxiliary service fd Kommandantur d. City of Vienna", in the middle the Austrian double-headed eagle (Figure 2). Needless to say, no one else has heard from this "Police Aid Service" any more than from the MPD.

Incidentally, the two above-mentioned - unfortunately disappeared - MPD letters of October 27, 1948 and November 16, 1948, in which US Colonel Stephen Pinter is connected with Mauthausen, are noteworthy. We'll come back to that.

4. The origin and form of the document

4.1. The copying process

Emil Lachout has given contradicting information on the creation of the circular on various occasions, for example to the state police [9] , [10] or in the 2nd Zündel trial in Toronto . [25]Accordingly, he himself drafted the circular at the time and prepared it for signature by his superior Major Müller. Müller signed it in front of his eyes. He (Lachout) then had the copies made in the office, which he correctly drew with his signature and stamp. In addition, the circular had been translated into the three Allied

languages and confirmed by a control officer. Only then was it released for distribution and distributed to all military commands in the Russian zone. Some copies are also said to have been sent to the Allies and the Austrian federal government. [10] Lachout's account once again raises questions:

a. On the duplication process

   With the hectography process, which was widespread at the time, the original had to be typed onto a special foil (matrix) from which up to 100 copies could be "peeled off". It is unclear whether official newsletters were also hectographed. Otherwise, at that time, only a printing process came into question for the reproduction of a document, whereby one could also reproduce signatures in facsimile. In the case of small numbers of items, typing still remained. According to Emil Lachout, around 50-60 copies of the circular were made and distributed. Back then, did you really type a circular 50-60 times, even if it was only half a page long? Of course, you could also make several copies of one sheet - but were they considered full-fledged documents?

b. Correct drawing

   Lachout allegedly drew "For the correctness of the copy" (F. d. R. d. A.) on each of the 50 - 60 copies. Even if you take into account the difficult post-war conditions, this procedure seems very cumbersome. Didn't Major Müller have a facsimile stamp with his signature?

4.2. Which version of the document is actually available?

The original of the MPD circular RS 31/48, which was signed by Major Müller on October 1, 1948 and correctly drawn by Lieutenant Lachout, has been lost. In theory, it should be in an Austrian archive. Copies, subsequent notifications and photocopies have created a complicated situation today. The question is: what kind of copy does Emil Lachout have in his hands? That depends on which of the five versions above you want to believe.

According to version 3, Lachout took "copies of important documents" home with him in 1948, with which the then 20-year-old would have shown an almost prophetic historical foresight. He only represented this version against *Sieg* [12] , [17] , in the later versions 4 and 5, probably because of the problem of *copying* , it is no longer mentioned. The document known today as the Lachout document is namely not one of the machine copies made for distribution at that time ("10th copy"), but, as Lachout also admitted to the state police, [10] only a copy of the 10th copy made at the time.

Laut Version 4 und 5 wurde ihm das Dokument, also die Abschrift der 10. Ausfertigung, nun von den beiden unbekannten Beamten vorgelegt. Theoretisch müßte der Text zu diesem Zeitpunkt mit Abschrift und "Militärpolizeilicher Dienst" begonnen und mit der Richtigzeichnung (F. d. R. d. A.), Lachouts Unterschrift und dem Stempel "Republik Österreich - Wachbataillon Wien - Kommando" geendet haben. Alles andere sind spätere Zusätze (Abbildung 1). Auf dem vergilbten Nachkriegspapier dieser Abschrift müßten sich die Stempelmarken vom Oktober 1987 befinden. Dann haben natürlich die Beamten ihr nunmehr beglaubigtes und mit Stempelmarken versehenes Exemplar wieder mitgenommen, wobei sie Lachout erlaubten, sich eine Fotokopie anzufertigen. Lachout kann also nur eine Fotokopie dieser Abschrift besitzen, auf der auch die Stempelmarken nur in Kopie erscheinen.

The certified copy with the real revenue stamps was therefore taken back by the officials. It has never surfaced again, no authority, no interior minister has ever used the document. But if the Austrian authorities wanted to suppress the document - why did they go to Lachout in the first place? Question after question ... and every answer opens up new questions. [26]

Prof. Dr. Robert Faurisson on the Lachout case

"I'm not absolutely sure we can trust Emil Lachout. I had real difficulties getting more precise information about the 'Commission' from him."

(Letter to the author, June 23, 2002)

***"I asked him* [Lachout] *to go to Trost-Kaserne so he could show me exactly where his office was (even if they hadn't let us in, he might have shown it from the outside). But somehow Reason he didn't want to show me the place.* [...] *As you know or should know, a mythomaniac is not satisfied with a lie, he lies almost continuously To present an 'expert opinion' (sic). That is already a lie or at least an inadmissible kind of pressure or distortion.* [...]

PS: After Zundel had a long conversation with him after Lachout's testimony in court, he told me that he couldn't trust the man. "

(Letter to the author, August 5th, 2002)

4.3. Formal aspects of writing

As already mentioned, the original pleading begins with the issuing authority "Military Police Service" and ends with the stamp "Republic of Austria - Guard Battalion Vienna - Command". Everything else are later ingredients. Measured against the requirements that must be placed on a document, even if it is only the reproduction of a circular, the following becomes apparent on closer inspection:

a. No letterhead

The document was not typed on a letterhead with a preprinted header and footer, but on blank paper. Lachout comments on this at the state police as follows: [10]

> *"Internally, apart from the mention of MPD, nothing was mentioned. In the remaining correspondence and files, stamps were used as the head (Cyrillic letters), the head read, for example: 'District Command of the Red Army in Favoriten'. military police service 'in brackets also in German. "*

Lachout claims that there were *no letterheads* in the MPD's *internal correspondence* . This does not seem credible - even in view of the post-war situation. The lack of a letterhead has already been criticized by the DÖW, although they were fixated on the idea of an *Allied* document: [1]

> *"It is unthinkable that an Allied authority did not have its own head on its official paper with details of the competent headquarters."*

b. Copy of a copy ?!

Above the first word of the actual text - "Military Police Service" - is the word " ABSCHRIFT " (ABSCHRIFT ") in the top line on the right and mostly ignored . Since 50 to 60 numbered copies of the original were supposedly typed, it would not have been necessary to mark each one as a copy. If it says " COPY " anyway , it can only mean that a copy was made of the 10th issue of the circular. The Austrian state police apparently approached Lachout about this inconsistency during his second interview. He accepts the logic of his interrogators, according to which the present paper should actually only be a copy of the 10th copy by saying:

> *"I cannot say why there is a copy of the 10th copy."*

Later, in his *Sieg* interview [17] from 1989, he gives the impression that he himself had the MPD deliberately copied the 10th copy and took it with him (see version 3).

In the case of a copy, the lack of a letterhead would of course be explained. But Lachout did not use this argument at all, but claimed that there were no letterheads in the MPD's internal correspondence (cf. a). If he really took a copy of the 10th copy home with him as early as 1948, then the secrecy about the reappearance of the document and the various legends (sometimes Honsik found it, sometimes the historians or the two officials arrived with it) is

incomprehensible . Should the two officials really have come up with the document, one must ask oneself why the Austrian State Archives or the Ministry of the Interior did not even have one of the 50-60 copies available, but only this secondary copy.

c. Numbered copies

The numbering of the individual copies in a circular is unusual, because this is only done with a small group of recipients with a high level of confidentiality. In his second interview with the state police, Lachout states: [10]

> *"that it is an internal adoption of the guards (crews) in the district military command Allied in Austria.* [...] *Furthermore, I explain the expression 10. Authentication so that a circular distributed after an existing distribution key. In such Circular letters, the word 'copy' with a machine was prescribed, the number was put in handwritten. "*

Since the number of the copy is *not entered* manually but with the machine on the Lachout document , according to the logic of the state police, which Lachout does not contradict, today's copy can only be a *copy of* the 10th copy.

d. No signature

"The head of the MPD: Müller, Major" is indicated as the signatory, but his signature is missing. As Lachout says, Müller only signed on the original, which has been lost - if it ever existed. Why did Müller, allegedly head of a troop of 500 men, not have a facsimile name stamp?

e. The Stamp

The only "official" thing about the original document is a simple three-line stamp, as can be made with a toy stamp box for children. Two points stand out:

- Although it is supposed to be a circular from the "Military Police Service", the stamp is "Republic of Austria - Guard Battalion Vienna - Command". A guard battalion, however, is not the same as an auxiliary police force. Based on research by the DÖW, there was no "Vienna Guard Battalion" in 1948. [1] This is a serious indication of the authenticity of the stamp and the document.
- Even for the post-war period the stamp used for an organization like the MPD is a bit poor, especially since the predecessor organization "Police

Aid Service" - whose existence is just as dubious - already had a splendid one on May 7, 1945 (three weeks after the fall of Vienna!) large round stamp (Fig. 2).

From the fact that Lachout was apparently questioned in great detail about the formal aspects of the circular during his second interview, one can conclude that the state police also had doubts about the authenticity and that the origin of the document from an Austrian archive (the " two officials ") knew nothing.

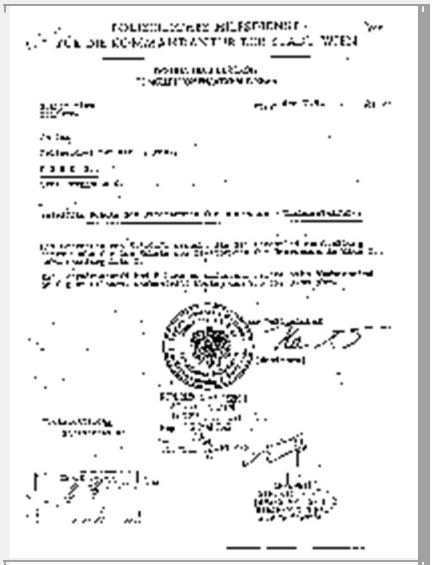

Figure 2: Police auxiliary service for the headquarters of the City of Vienna, letter to the police chief for the 1st district dated May 7, 1945 - at least that's what Emil Lachout claims. (Click on picture to enlarge)

4.4. The certifications

With the exception of the first stamp "Republic of Austria - Wachbataillon Wien - Kommando", the various stamps and stamps were all applied in October 1987. First of all, Emil Lachout confirmed on Oct. 27, 1987 that he was the one who drew "For Correctness" on October 1st, 1948. This confirmation cost a 120 Schilling stamp, which was canceled by a round stamp from the District Court of Vienna-Favoriten. The district court also confirms Lachout's identity and the authenticity of his signature, which costs another 120 schillings. The remaining 40 schillings (2 court cost stamps of 20 schillings each) were due for the registration of the process.

The stamps and revenue stamps from October 1987 say nothing about the authenticity of the document itself. Finally, the five-line stamp on the left is a private stamp from Lachout. Ultimately, all stamps and revenue stamps cannot hide the fact that the Lachout document is a *unique piece of* dubious origin. Apart from the present circular no. 31/48, not a single other document from the MPD has emerged to date.

5. Textual criticism

5.1. The key message of the document

Immediately after the capture of the concentration camps, the victorious powers carried out investigations to uncover alleged or actual German crimes. Based on the Allied reports as well as the testimony of former prisoners, there was hardly one of the 15 or so large German concentration camps in 1945 that did not claim to have a gas chamber. This also included camps where the gas chamber claim has since been tacitly dropped (Buchenwald, Bergen-Belsen, etc.) or where the existence of a gas

chamber is highly doubtful (Dachau, Mauthausen, Sachsenhausen, etc.). Still others are withdrawn from historical research in many European countries by the penal laws.

The key message of the circular is, as is well known, that the Allies carried out a review of their first reports from 1945 in 1948 and sent "Allied Investigative Commissions" to a number of former concentration camps for this purpose. Paragraph 1 of the circular states that "no people were killed with poison gas" in the 13 camps mentioned. Paragraph 2 refers to an earlier MPD circular RS 15/48, which has been lost. Emil Lachout states that it had a similar content, but that not all 13 camps were listed because the investigations were still in progress. [15]

Such quasi-revisionist investigations, however, diametrically contradict the post-war policy of the Allies, whose war crimes trials were still in full swing. Even the fact that there is some truth in a document (in the case of Circular 31/48, the absence of gas chambers in certain camps) does not, of course, prove that the document is authentic. Well-known revisionist researchers had doubts about the authenticity from the start. Apart from the non-existence of certain gas chambers, what about the other statements of the document? This brings us to the problem of the "Allied Inquiry Commissions".

5.2. The Allied Inquiry Commissions of 1948

From the circular it emerges, and Emil Lachout has stated several times in this sense, [27] that allied investigations took place again in 1948 in former German concentration camps, which carried out a review of the earlier Allied reports, mostly drawn up in 1945. He and his MPD supervisor, Major Müller, took part in the investigation of the former KL Mauthausen as Austrian observers. The DÖW concentrated its content-related criticism primarily on the term "Allied Investigation Commissions", which did not exist in this general form. But there was the United Nations War Crimes Commission (UNWCC) in London: [1]

> *"The trial against those responsible for the Mauthausen concentration camp was heard by a US court in Dachau, and the question of the killings by poison gas was also dealt with. It would therefore be downright absurd for the same agency* [UNWCC] *that carried out these extensive trials to take part Document of this kind* [Lachout Document] . *"*

It remains to be seen whether the UNWCC was the judge of the Dachau trials, because that was probably the US Department of War. Otherwise, however, this argument of the DÖW cannot be dismissed out of hand: the Allies or the Americans, who were still carrying out war crimes trials at the time, did not even consider questioning and checking their earlier concentration camp reports. So what about the

"Allied Investigation Commission" claimed by Lachout, which is said to have been in Mauthausen in 1948? In fact, in 1948/49 there were two American (non-Allied!) Investigative commissions that were also active in Germany and Austria: the Simpson / van Roden Commission and the Baldwin Committee.

These commissions did not deal with the (alleged) crimes in the German concentration camps, but with the unlawful actions of the US military judiciary . [28]The actions of the American investigators and courts-martial in the preparation and execution of the war crimes trials, especially the Malmedy trial, had led to protests against this type of justice, among others by German bishops and the German lawyers of the defendants. In the American press there were reports of brutal mistreatment of the accused (mostly young soldiers of the Waffen SS), the worst prison conditions, methods of psychological torture such as total isolation, mock trials (with death sentences and mock execution), false witnesses, false confessors, obstruction of the defense, etc. These hair-raising judicial systems, derisive of American legal tradition, threatened to undermine the credibility of the war crimes trials and the reputation of the American judiciary. In America a campaign broke out against the mass executions in the Landsberg War Crimes Prison under the motto "Stop the hanging machine". In May or June 1948, Army Minister Royall reluctantly appointed two army judges from the Judge Advocate General Department (JAGD), Colonel Gordon Simpson and Colonel Edward Leroy van Roden, to set up a commission of inquiry. This so-called Simpson / van Roden commission arrived in Munich on July 12, 1948 and submitted a report on September 15, 1948, which the Minister of the Army - reluctantly and only under pressure from the public - submitted on January 6, 1949 Publication has been released. In May or June 1948, Army Minister Royall reluctantly appointed two army judges from the Judge Advocate General Department (JAGD), Colonel Gordon Simpson and Colonel Edward Leroy van Roden, to set up a commission of inquiry. This so-called Simpson / van Roden commission arrived in Munich on July 12, 1948 and submitted a report on September 15, 1948, which the Minister of the Army - reluctantly and only under pressure from the public - submitted on January 6, 1949 Publication has been released. In May or June 1948, Army Minister Royall reluctantly appointed two army judges from the Judge Advocate General Department (JAGD), Colonel Gordon Simpson and Colonel Edward Leroy van Roden, to set up a commission of inquiry. This so-called Simpson / van Roden commission arrived in Munich on July 12, 1948 and submitted a report on September 15, 1948, which the Minister of the Army - reluctantly and only under pressure from the public - submitted on January 6, 1949 Publication has been released.[28]

When Lachout talks about a commission of inquiry that is said to have been in Mauthausen in 1948, this fits in well with the work of the historical Simpson / van

Roden commission. Lachout contributes some details. Said "Allied Investigation Commission" is said to have consisted of two investigators from the military police of the four occupying powers and two Austrian observers (Müller and Lachout). The commission was reportedly headed by US War Department attorney Col. Stephen F. Pinter. The commission was dissolved in 1949 and only met again when necessary. [25] In the *victory* interview [17]In connection with an alleged investigation report by Pinter, Lachout mentions two relevant MPD documents that were confiscated from him during a house search (cf. 3.3). However, its presentation needs to be corrected. The object of the Simpson / van Roden Commission, as later the so-called. Baldwin Committee, was in fact verifying the American military jurisdiction and their unlawful methods, *not*the renewed inspection of the former German concentration camps. Except in the Lachout document, there is no evidence that Simpson and van Roden sent one or more sub-commissions to the former concentration camps. In addition, the Simpson / van Roden commission was a purely American event. According to Lachout, the mysterious "Mauthausen Commission" had an *Allied* composition - despite the "Cold War" that had broken out in the meantime (the Berlin blockade began on June 24, 1948).

5.3. The non-existent report of the imaginary Mauthausen commission

Where there is a commission of inquiry, there is also a report. As is well known, an American report on KL Mauthausen was drawn up as early as June 1945 . [29] Should an Allied commission have been to Mauthausen again in 1948, they too should have submitted a report on their findings. However, such a device has not emerged to this day. One is all the more electrified when suddenly there is a reference to such a second Mauthausen report. In response to two articles by Till Bastian in *Die Zeit* [30] , the then 80-year-old retired major general of the German armed forces, Otto Ernst Remer, published a brochure entitled *Die Zeit is lying!* out . [31]In the list of sources of this brochure under [56] is now : S. Pinter, Mauthausen report, supplement 3 / Us-Army Chemical Corps, 5.8.1948 [sic].

The historical Colonel Stephen F. Pinter is named as the author and August 5, 1948 as the date of a second Mauthausen report! This report would be a bit of a sensation, because it would of course be the lack of evidence for the Mauthausen commission of 1948 alleged by Lachout. However, neither an archive location nor an archive signature is named. It is also strange that the report is said to have come from the same US unit, the 3rd US Army Chemical Corps, [29] whose report from 1945 was actually intended to be checked! In what context is this mysterious report actually being quoted? Note 56 is on the label of a chart, which reads:

> *"Diagram 1: Evaporation rate of hydrogen cyanide from the carrier material of the Zyklon B according to the US Army Chemical Corps [56] ."*

The diagram is provided in the Remer brochure as an illustration of the slow evaporation of hydrocyanic acid (HCN). The preoccupation with a typical revisionist issue (rate of evaporation of hydrogen cyanide) as early as 1948 seems unusual, but is not excluded. For example, the Polish-Soviet commission active in Majdanek in the late summer of 1944 determined the filling weight of the Zyklon B cans by weighing before and after evaporation of the hydrogen cyanide. [32] We now hear from Germar Rudolf that he himself wrote most of the aforementioned Remer brochure and that the diagram was sent to him by Emil Lachout. [33]

It obviously goes back to the corresponding company publications of DEGESCH (Irmscher 1942) or Detia Freyberg GmbH (1991), as they were later reproduced by Lamprecht, [34] however, in the diagram (probably by mistake) the evaporation times are shown 10 times longer than in Reality. Because of this mistake, Rudolf also had doubts about the diagram. In the first edition of the Rudolf report from July 1993, he still quotes the diagram or the (alleged) Pinter report, but already shows skepticism. [35] The (alleged) Pinter report is no longer mentioned in the later versions of the Rudolf report. [36] The testimony of Germar Rudolf is further evidence that leading revisionists were skeptical of Emil Lachout's statements and that the legend of an Allied commission in Mauthausen led by Pinter goes back to Lachout.

The report from "August 5th, 1948" mentioned by Remer and which is of great interest to us turns out to be a phantom. We do not know the real final report by Simpson and Van Roden, but the statement "no gas chambers" would have been so sensational that one would have heard about it. One could argue that the results should remain secret, but why were they made known to the MPD operating in the Soviet zone of Austria, and that after the outbreak of the Cold War?

Figure 3: One of the 300 or so submissions that Emil Lachout brought to the court's attention using the Austrian Code of Criminal Procedure (click on the image to enlarge)

Again to the US Colonel Stephen F. Pinter, who was an attorney for the US War Department for the US War Crimes Investigation in Germany and Austria in the post-war years. Pinter, a true German-American and civil lawyer, was not without sympathy for the defeated Germans and apparently carried out his investigations against the accused very objectively, which made him different from the majority of his colleagues. Very little is known about this deserving man, and so many people only know him because of his letter to the editor of an American Sunday newspaper (1959) in which he comments on the gas chamber question. [37]

When Prof. Faurisson spoke to Honsik and Lachout in Vienna in December 1987, there was apparently no mention of Pinter. However, Faurisson immediately recognized that Lachout's statements, the Lachout document and the Pinter letter mutually confirm and complement each other, and so he wrote: [15]

> *"Isn't this document a confirmation of a statement made by a certain Stephen Pinter in 1959?"*

A year later, Emil Lachout also indicated that the Mauthausen Commission (1948) was headed by Pinter, i.e. he lists two (alleged) MPD letters (cf. 3.3) that refer to Pinter's (alleged) Mauthausen- Obtaining a report and (allegedly) confiscated from him during a house search. [17] Lachout later repeated the statement made by Pinter as the head of a second Mauthausen commission. [5] It's just a shame that this commission did not exist, and so it cannot be true that Pinter directed it. Presumably, the historical Colonel Pinter was only brought into play to give the fictional "Allied Commission" some credibility.

6. Conclusion

Apart from the Lachout document, the stories of Emil Lachout and a "Pinter report" also from Lachout, there is *nothing* that proves the activities of the Allied investigative commissions that are said to have been active in former German concentration camps, especially in KL Mauthausen, in 1948 . Corresponding reports have never surfaced. These commissions are a phantom.

After all, their existence would also have contradicted the Allied re-education policy. The "military police service" in Austria in the post-war years is also not verifiable. Here, too, all information and documents that are intended to make the existence of the MPD credible, either directly or indirectly, ultimately go back to Emil Lachout. This troop is a ghost army. That is why the genesis of the Lachout document cannot be correct either. There are at least 5 versions full of inconsistencies and contradictions about how and from where the document emerged in 1987. There is only one conclusion left:

The circular is a fake.

For the purpose of this study, it may be left open who the forger is.

This finding may come as a surprise to many who have previously believed in the document. The fact that the belief in the authenticity of the document was able to hold up to this day is not least due to the fact that the critics in the DÖW combined their

research results with a violent polemic against revisionism and thus shook their trust in their scientific seriousness themselves.

The motive for the forgery was presumably tactical in the process, namely to force a discussion of the gas chamber issue (especially in connection with Mauthausen) in the criminal proceedings against Rainer and Honsik. However, the court did not agree and let the case against Lachout pause for years, probably precisely to avoid a discussion of the gas chamber question. For revisionist contemporary history research, the document is a burden today, because opponents like the DÖW will continue to blame this forgery with all of revisionism with delight. This accusation is not justified, however, because well-known revisionists (Faurisson, Zündel) were also skeptical from the start. But it couldn't be their job to clear up the confused history of the document. A scientist like Prof.

In the question "Gas chambers in the Altreich?" In any case, one must forego the Lachout document as evidence, and that also applies to the question of the Mauthausen gas chamber. Incidentally, that does not mean that everything that is in the "Circular RS 31/48" must be wrong because the document is forged! Noteworthy in this context is a sentence from a judgment of the Higher Regional Court of Vienna, [38]which, however, is so cryptic that you have to read it several times. There the court makes a fine distinction between an argument that there was no mass extermination by poison gas in individual, named concentration camps (apparently not punishable) and the "so-called 'gas chamber lie'", according to which "mass extermination by poison gas in concentration camps occurs National Socialists are unjustly accused of being "(punishable). The court assumed, however, that the document had also been used for the latter, criminal argumentation, which means that officials are obliged to "intervene against such neo-Nazi activities".

In any case, the various processes in connection with the Lachout document did nothing to clarify the Mauthausen gas chamber issue. The trial of Emil Lachout dragged on for years. Apparently they had not expected that Lachout would turn the tables and sue the Republic of Austria in Strasbourg for denial of a human right (through procrastination). Lachout was right [39] - not in the gas chamber, of course, but because of the delay in the process - and the Republic of Austria paid him "just satisfaction".

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7. Notes

[1] Brigitte Bailer-Galanda, Wilhelm Lasek, Wolfgang Neugebauer, Gustav Spann (Documentation Center of the Austrian Resistance), *Das Lachout- "Document" - Anatomy of a forgery* , Verlag DÖW, Vienna 1989.

[2] Brigitte Bailer-Galanda, "The so-called Lachout-'Dokument '", in: DÖW and Federal Ministry for Education and Art (ed.), *Rampage against reality. Nazi crimes and revisionist historical misrepresentation* , 2nd ed., Verl. DÖW, Vienna 1992.

[3] On the Lachout case see the contribution by Johannes Heyne, "The 'Gaskammer' in KL Mauthausen - The Emil Lachout Case", *VffG* 7 (3 & 4) (2003), pp. 422-435.

[4] Emil Lachout, letter dated August 5, 2001 to the author

[5] Emil Lachout, letter dated September 25, 2001 to the author

[6] See Reinhold Schwertfeger, "Was there gas chambers in the Altreich?", *VffG* 5 (4) (2001), pp. 446-449.

[7] Of the 13 former German concentration camps named in the Lachout document, nine were located in the "Altreich" area and the remaining four were in the areas annexed since 1938. None of the so-called extermination camps, which are now all on Polish soil, are mentioned. "Altreich" means Germany within the borders of 1937. This can lead to misunderstandings, because five KLs (Auschwitz in East Upper Silesia, Mauthausen in Upper Austria, Natzweiler in Alsace, Stutthof near Danzig, Theresienstadt in the Reich Protectorate of Bohemia and Moravia) were *not* , strictly speaking, on the territory of the Old Reich, as the areas in question were only incorporated into the German Reich between 1938 and 1940.

[8th] Wiesenthal vs. Rainer trial (criminal district court Vienna, file number ZL 9 V 939/86).

[9] Federal Police Directorate Vienna, State Police Office, minutes (number I - Item 501 / IV B / 14b / 87 res) dated December 11, 1987 (1st interrogation of Lachout).

[10] Federal Police Directorate Vienna, State Police Office, minutes (number I - item 501 / IV B / 14b / 87 res) dated February 2, 1988 (2nd interrogation of Lachout).

[11] Emil Lachout, affidavit dated October 16, 1987, certified by the District Court of Vienna-Favoriten (G 1350/87).

[12] Walter Ochensberger (Ed.), *Sieg* No. 11/12 (Nov./Dec. 1987), pp. 7-9.

[13] Gerd Honsik, "Government Commissioner breaks his silence - Mauthausen fraud officially known! Major Lachout's document exclusively in *Halt* ", *Halt* No. 40, Vienna, Nov. 1987.

[14] Gerd Honsik, "The document is real! Faurisson is rushing to Vienna!", *Stop* No. 41, Vienna, December 1987.

[15] Robert Faurisson, "The Müller Document", *The Journal of Historical Review* Vol. 8 No.1 (1988), pp. 117-126.

[16] Letter from Prof. Dr. Manfred Messerschmidt (Military History Research Office Freiburg) dated July 14, 1988 to the DÖW.

[17] Exclusive interview with Mr. Emil Lachout, *Sieg* No. 6 (1989), pp. 16-19

[18] See note 1, p. 11.

[19] Information from the Austrian State Archives of September 21, 1988 (GZ 0695/0-R / 88); in the court file of the DÖW vs. Lachout proceedings; quoted from note 14, p. 16.

[20] See note 17, p. 9 (box).

[21] Dr. Robert Lichal, Federal Minister for National Defense, letter to Dr. Wolfgang Neugebauer, DÖW, February 20, 1989; For facsimile see Bailer-Galanda *et al.* , Note 1, p. 16.

[22] See note 1, pp. 12-16.

[23] Robert Faurisson, letter to the author dated August 5, 2002.

[24] Police auxiliary service for the headquarters of the City of Vienna, letter dated May 7, 1945 (copy from Emil Lachout to the author).

[25] Barbara Kulaszka (ed.), *Did Six Million Really Die? Report of the Evidence in the Canadian "False News" Trial of Ernst Zündel* , Samisdat Publishers Ltd., Toronto 1992

[26] All images reproduced anywhere today - including those shown here - are obviously always photocopies of the Lachout copy. It should be noted that the document is sometimes only partially shown. According to Emil Lachout (2001), the illustration of circular no. 31/48 (Lachout document) reproduced here in its *entirety* (illustration 1).

[27] R. Faurisson, op. Cit. (Note 15), pp. 119, 123f., E. Lachout, loc. Cit. (Note 4), p. 8 and the same, loc. Cit. (Note 5), p. 16.

[28] See Ralf Tiemann, *The Malmedy Process. A struggle for justice* , Munin-Verlag, Osnabrück 1990.

[29] Report of Investigation of Alleged War Crimes [in Mauthausen], Headquarters Third US Army, Office of the Judge Advocate, by Eugene S. Cohen, Major and Investigator-Examiner, 514 th Quartermaster Group, 17 th June 1945 (IMT Document 2176- PS)

[30] Till Bastian, "The Auschwitz Lies", in: *Die Zeit* , No. 39 of September 18, 1992; Till Bastian, "The 'Leuchter Report'", in: *Die Zeit* , No. 40 of 25.9.1992

[31] Otto Ernst Remer (ed.), *Time is lying* !, Remer-Heipke Verlag, Bad Kissingen 1992, see http: vho.org/D/Beitraege/Zeit.html.

[32] See J. Graf, C. Mattogno, *KL Majdanek. A Historical and Technical Study* , 2nd ed., Castle Hill Publishers, Hastings 2004, p. 130.

[33] Germar Rudolf, letter dated May 13, 2004 to the author.

[34] See Wolfgang Lamprecht, "Zyklon B - a supplement", in: *VffG* , 1 (1) (1997), pp. 2-5.

[35] Rüdiger Kammerer, Armin Solms (eds), *The Rudolf Report. Expert opinion on the formation and detectability of cyanide compounds in the "gas chambers" of Auschwitz* , Cromwell Press, London 1993, p. 58f .; see www.vho.org/D/rga1/verdampf.html.

[36] G. Rudolf, *Das Rudolf Gutachten* , 2nd ed., Castle Hill Publishers, Hastings 2001; ders., *The Rudolf Report* , Theses & Dissertations Press, Chicago, IL, 2003.

[37] Stephen F. Pinter, Letter to the Editor, in: *Our Sunday Visitor* (Huntington, Indiana), 6/14/1959, p. 15th

[38] Judgment of the Vienna Higher Regional Court of September 10, 1990, Zl. 27 Bs 199/90; quoted in Bailer-Galanda, loc. cit. (Note 2), p. 81f. It was about a private lawsuit

brought by Emil Lachout against DÖW employee Mag. Brigitte Bailer-Galanda and some journalists, whereby Bailer-Galanda was acquitted in two instances.

[39] Council of Europe Council of Ministers, complaint No. 23019/93, adopted on October 8, 1999 at the 680th meeting of the Ministers' Delegates.

Source: *Vierteljahreshefte für free historical research* 8 (2) (2004), pp. 166-178.